



City of Amesbury Lakes and Waterways Commission

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By Ellie at 12:06 pm, 8/2/21

Meeting Minutes for 5-27-2021 7:00 PM

Location: Virtual Zoom Meeting

Attendees: Tom Murphy, Meghan O'Neill, Thomas Volper, Bernadette Lucas, Art O'Dea, Cindy Roberts, Matt Chapin and Peter Manor- City Engineer.

Completing Minutes: Meghan O'Neill, Secretary

I. Administrative Business

A. Call to Order

Tom Murphy, acting chair read the following to the committee in regard to meetings held in person: *"Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Lakes & Waterways Committee on 5/27/21 is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order."*

B. Review of Past Minutes (April)

- Minutes approved by committee members. Tom M. motioned, Art seconded this motion.
- Meghan updated group that minutes have been posted to L&W website and that they need to be sent to the city clerk email group in the future, which Meghan will do.

C. Review of Meeting Venue

- Order from city after June 15th the virtual meetings are suspended.
- All are vaccinated on the committee that are in attendance tonight; do we start meeting in person?
- Conversation about where to hold meetings. Where would we meet? We could use DPW for the time being, as this was used previously for in-person meetings.
- Can use city hall as first choice and then DPW after depending on availability of space.
- Scheduled for 3rd Thursday of every month, does this still work for everyone? Do we think about changing it due to space availability?
- Questions about how Amesbury residents can attend the meetings if they remain virtual? Is there an option to keep this virtual at this time? Group unaware of options here.
- Art offered a hybrid model where if people cannot join in-person they can join virtually.
- Tom to determine constraints and if virtual is still an option.
- Overall challenges with city hall as they are starting construction soon. Also, the DPW kitchen is where we would meet and if this enough space for all. Tom M. will reach out and find out more info.

II. Engineer's update

A. Engineer's Report

- Pete gave the Engineer's update; on May 1st all water bodies were at normal level. Right now, we are trying to hold back water to prepare for a drought, which has occurred the last few summers. Everything is at normal pool.
- Potential septic issues at the Tuxbury campground, need to speak with NH Board of Health about this as it technically resides mainly in NH, although the entrance is in MA. Tuxbury is considered an Interstate waterway as it borders two towns, and multiple states.
- Some ongoing issues with wells in South Hampton homes along Tuxbury Pond as well, once again complicated as it sits on an interstate waterway.

B. Archbrook Culvert Discussion

- Cindy inquired about the capital improvement document which references Archbrook Culvert and the cost to fix this, this structure impacts Attitash and Meadowbrook water levels. Pete believes this is currently over a million to repair and/or replace the structure.
- When and if this fails how will this impact the community? The town of Merrimac expressed concerns about the flooding impact to boat ramp area. This is a large wetland area which does not have a lot of outlet room for the water if Archbrook fails. Cindy to follow up with expectations from Lake Attitash.
- Meghan asked if it would be impactful for signatures along Meadowbrook- Kimball Rd. and other bordering streets? Pete feels the mayor would be open to hearing concerns from neighborhoods, etc. This could be an option if needed.
- Tom M. asked the group if we have considered being vulnerable as a result of climate change?
- What should be our next steps here? Due to an ongoing drought people do not consider this a high priority. Many of the residents along the pond have not experienced a flood across the road but it can occur and be very damaging and causing significant impact to homes.
- This should remain top of mind and an ongoing discussion of the groups.

B. Stormwater Management Plan Guidance

- Rob unable to make meeting so we are pushing the SMP out a month for review.
- As a reminder, Tom M. is focused on snow removal and salt deposits throughout the city as there is no guidance or regulations around how much and where salt/sand is dropped.
- Cindy has an interest in the fertilizer impact to waterways.
- Does anyone else have specific thoughts or areas of interest around this? It could be beneficial for the group to divide and conquer specific topics to ensure proper coverage.
- Tom M. would like clarity on the process that L&W needs to follow in order to move forward with the SMP. Do we need an actual public forum or does L&W constitute the public form and meet this requirement? We need input and an answer from Rob. June 20th is when this is scheduled. He may need to prepare us to run a public meeting.

C. Battis Farm Management Plan

- There is currently no management plan for Battis Farm.
- Concerned about fertilizer so close to Lake Gardner and without a management plan there is no recourse for inappropriate fertilizer usage adjacent to a waterbody.
- Unsure about Woodsom Farm having a documented plan as well?

- Bernadette stated that procedures and policies around usage of these properties should be a priority and the group agrees.
- Pete added that Rob would like us to have a public quorum/ hearing as this topic may be better suited to discuss and gain feedback from community. There are competing interests in various topics surrounding the usage of Battis and Woodsom. Suggestion is to bring this to the mayor as special interest groups all have their own preference- bird watchers, dog walkers, soccer clubs, etc. Everyone has a different preference based on their usage.
- Bernadette's feedback is to have a policy to help enforce governance. Come up with a list of pertinent problems that need to be addressed so people know expectations.
- Pete believes documentation was sent along about farming in a wetland to the contractors. Since this is Amesbury's property, we can hopefully handle this specific situation differently and provide additional guidance and education moving forward.
- Water treatment plant sludge is plowed into the soil next to Lake Gardner. Much of the plowing is done to spread sludge. Amesbury changes sludge deposit dropping every year to different location. Alum counteracts the phosphorus content, so is beneficial when added to soil near the lake. Pete added that this has been the process for many years without issue.
- Tom M. offered the suggestion of Open Space, L&W, Con Comm representation to possibly work together for a solution.
- Idea to look for hot spots of phosphorus in storm drains around Lake Gardner. Picking areas and completing testing where areas of concern might be. Cindy stated that they do this near Attitash, especially on steep hill with significant runoff to determine impact.
- Lake Attitash Association goes through UNH to process their tests. Biomarine does the testing, and phosphorus can be added as an item if requested. Bio marine supplies the bottles and explains how to complete the collection process. This is pretty straight forward.
- Bernie and Cindy to meet and discuss next steps and determine who should pay for this.
- Also need to determine who gives permission to complete this? Go through Con Comm first to discuss this? Does board of health authorize this test?
- Cindy to call UNH and see if they will take on another lake for test processing.
- Need a consortium of people to work on policy & procedures for Amesbury lands that border waterbodies. Need to do some groundwork before we approach the mayor on this topic.
- Bernie added that Lake Gardner Association needs to do some research on current state as a next step and if they can fund extra testing.
- We need to speak with Michael about what Con Comm can get involved in.
- Possibly John Sherwood to have a stronger position to voice concerns? Bernadette and Tom have been working with John Sherwood about determining if a management plan exists for Battis.

D. Bylaws: Revision of Section 2 sent to Mayor's Office

- Tom M. emailed a copy of the mayor's response to group and his correspondence back. He has sent 2 different versions of bylaw updates. Tom also provided historical link from original bylaws in 1995.
- Concerned it may not be entirely clear what the changes are as she doesn't know the original intent for the commission. Tom referenced the fact that the original committee was

formed around specific tasks and those have been completed so the group is adjusting its charter.

- Question about including the Merrimack River as this is not entirely contained within Amesbury? Yes, we have included this. We have our 10 waterbodies listed in our purview in the bylaws.
- Question about inclusion of dock management as Con Comm currently deals with this? Harbormaster is a part of committee and this falls under that position's authority. Need some clarity here where connection is and if this should move back to L&W.
- Tom M. shared that at some point this committee had a budget and dock fees were absorbed for initiatives so this may have been included at the onset of the committee for a funding source.
- Tom to follow-up with mayor more background.

C. Status of Minutes on Website

All 2021 Meeting Minutes have been posted and are up to date on the L&W website page. Meghan will send these to the city clerk email address after approval on a monthly basis.

III. Discuss Revisions of Waterways Assessment

- Bailey's Pond: Tom did build this from scratch and researched the information. Possibly an issue with legal responsibilities currently as ownership is in dispute. French drain now installed to help prevent flooding into road. Sources should be included as well. Need to discuss and include more about flooding issues. May need to leave ambiguous for now until ownership issues resolved.
- Clarks Pond: Dam will be inspected after July 1st; this is reviewed every ten years. Continues to be an issue with beavers on that pond which should be added to the description. They have moved downstream at the moment and will continue to impact water flow.
- Lake Attitash: May need to add flooding concern due to Archbrook. Bridge could flood and strand residents. Also, an issue with downtown impact as water volume is too much for downtown Amesbury as the Powwow overflows as downstream impact. Will add impact to Merrimac residents into description as well. Lake Attitash road has flooded in the past but also at boat launch. Original culvert/dam built in early 1700s.
- Lake Gardner: Question about size of this lake? Understand NH and MA square footage. Relies strongly on NH water source for volume. Lake Gardner sand replenishment meeting in early June to make a decision- June 4th. Will need to add this in based on decision. Cindy worked with Bruce McBrien on this assessment write up.
- Meadowbrook Pond: This is all set, Pete just added elevation details. Questions from group about the measurement of water height. Pete shared this is measured as an actual elevation based on a fixed historical mean level set in 1929. This does take into account tides. Ocean and river remain same level b/c its tidal.
- Park & Pattens Pond: Both descriptions are OK. Question about cyanobacteria? Has this been tested because visually it appears it is present in both ponds? Concerns about small dogs and children coming into contact with the pond and the dangers. It might be worthwhile to put in a water feature to keep the water moving, like they do at golf courses. Concerns about breathing in the air around the pond being dangerous. Cindy to reach out to Ernie about next steps for testing, with the results we can make recommendation. Group feels this should be a priority due to potential risk to community. Are there signs that say

no swimming? Should this be posted? Test for cyanobacteria due to visual concerns.
Priority to follow-up on this and discuss until rectified.

- Tuxbury Pond- This is all set, Pete wrote this. Looking for more comprehensive review of Stateline dam. Tom expressed concerns about Amesbury not doing testing for PFAS. Amesbury has done testing but has not detected anything significant. Will need to rely on future testing. Questions about testing when entering via NH. Need to explore testing. Hoping to get specific results for Amesbury soon.

IV. Meeting Adjourned:

Motion to adjourn- Meghan, seconded at 9:28 PM.

Next meeting: June 17, 2021- location TBD